

January 8, 2021

Via ECF

The Honorable Paul A. Engelmayer  
United States Courthouse  
40 Foley Square, Room 2201  
New York, NY 10007

**Re: *ACLU et al. v. Department of Defense et al.*, No. 17 Civ. 3391 (PAE)**

Dear Judge Engelmayer,

We write on behalf of Plaintiffs (the American Civil Liberties Union and American Civil Liberties Union Foundation) and Defendants (the Department of Defense, Department of State, Department of Justice, and Central Intelligence Agency) in Civil Action No. 17-3391.

The Court entered judgment in this matter on November 12, 2020. ECF No. 138. On November 16, 2020, to facilitate settlement, the Court granted Plaintiffs' consent request for adjournment of the deadline to file a motion seeking fees and costs. ECF No. 141. In doing so, the Court directed the parties "to file a joint status report, apprising the Court of the status of their negotiations, by January 8, 2021." *Id.*

Pursuant to that direction, we wish to inform the Court that Plaintiffs furnished Defendants with a proposed fee schedule and supporting documentation on December 22, 2020. Due to the intervening holidays and government counsel's leave, Defendants are still in the process of reviewing and analyzing Plaintiffs' proposal.

Accordingly, the parties jointly request that the Court grant them additional time in which to complete their negotiations and propose that the Court enter an order instructing the parties to file a joint status update in one month—on February 5, 2021.

Respectfully,

/s/ Brett M. Kaufman  
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